



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

September 7, 2023

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. Michael Brown, 20 Cr. 524 (KPF)

Dear Judge Failla:

Defendant Michael Brown's motion to dismiss Indictment 20 Cr. 524 (KFP) on the basis of the Double Jeopardy Clause and motion to compel discovery and issue Rule 18 subpoenas are pending before this Court. A hearing on the motions was held on August 8, 2023. The Government respectfully requests, with the defendant's consent, that the time from September 7, 2023, through October 7, 2023, be excluded from the running of the Speedy Trial Act clock, pursuant to Title 18 U.S.C. § 3161(h)(7)(A). Such a continuance serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial because it would give the Court additional time to decide the numerous issues raised in the defendant's motions, the parties additional time to attempt to resolve discovery issues, and the defendant additional time to continue to review discovery.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: /s/ Sarah Lai
Sarah Lai / Sagar Ravi
Assistant United States Attorneys
(212) 637-1944 / 2195

Application GRANTED. It is ORDERED that time is excluded under the Speedy Trial Act between September 7, 2023, and October 7, 2023. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit the Court to continue to deliberate on the numerous issues raised in the defendant's motions, provide the parties additional time to resolve discovery issues, and provide the defendant additional time to continue to review discovery.

The Clerk of Court is directed to terminate the pending motion at docket number 92.

Dated: September 7, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE